

Approved as Submitted: July 6, 2005

**CITY OF MORGAN HILL
JOINT SPECIAL AND REGULAR REDEVELOPMENT
AND SPECIAL CITY COUNCIL MEETING
MINUTES – JUNE 22, 2005**

CALL TO ORDER

Chairman/Mayor Kennedy called the special meeting to order at 7:02 p.m.

ROLL CALL ATTENDANCE

Present: Agency/Council Members Carr, Grzan, Sellers, and Chairperson/Mayor Kennedy
Absent: Agency/Council Member Tate

DECLARATION OF POSTING OF AGENDA

Deputy Agency Secretary/Deputy City Clerk Malone certified that the meeting's agenda was duly noticed and posted in accordance with Government Code 54954.2.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

Chairman/Mayor Kennedy led the Pledge of Allegiance.

PUBLIC COMMENT

Chairman/Mayor Kennedy opened the floor to public comments for items not appearing on this evening's agenda. No comments were offered.

Craig Hulse addressed the Council regarding street lights that are going to be added to Santa Teresa Boulevard. He stated that the installation of these lights will take area from his back yard and the light will make it hard to sleep at night because it will be disturbing to his family. He is also concerned that it will affect the value of his property. He does not believe there is a need for the lights to increase the safety because there is no place for pedestrian traffic. He would like to see the installation of these lights delayed, and if that cannot be done, he would request that something be done to keep the light from shining into his home so he can sleep at night. He also suggested that the city install stop signs at Native Dancer and the bridge to slow traffic.

Mayor Kennedy stated that he would have city staff look into this issue.

Mr. Tom Barger and Mr. Steven Serchia introduced themselves to the Council to let them know that they are going to be re-opening the bowling center in Morgan Hill. They stated they are excited about the project and are committed to bringing a quality entertainment center to Morgan Hill.

The Mayor thanked them for what they are doing with the bowling center and stated the community will be glad to have it back in operation.

There being no further comment, the public comment was closed.

Redevelopment Action

CONSENT CALENDAR:

Action: *On a motion by Agency Member Sellers and seconded by Agency Member Carr, the Agency Board unanimously (4-0, with Tate absent) **Approved** Consent Calendar Item 1, as follows:*

1. **MAY 2005 REDEVELOPMENT AGENCY FINANCE & INVESTMENT REPORT**
Action: **Accepted** and **Filed** Report.

City Council Action

Mayor Kennedy pulled Item #6 and Council Member Sellers pulled Item #7 from the Consent Calendar for discussion.

CONSENT CALENDAR:

Action: *On a motion by Council Member Sellers and seconded by Council Member Carr, the City Council unanimously (4-0, with Tate absent) **Approved** Consent Calendar Items 2-5 and Item 8, as follows:*

2. **MAY 2005 CITY OF MORGAN HILL FINANCE & INVESTMENT REPORT**
Action: **Accepted** and **Filed** Report.
3. **RESOLUTION APPROVING APPLICATION FOR FEDERAL SURFACE TRANSPORTATION PROGRAM FUNDING FOR 2005-2006 STREET RESURFACING PROGRAM**
Action: **Adopted** Resolution Supporting the Application for Federal Surface Transportation Program (STP) for the 2005-2006 Pavement Resurfacing Project.
(Resolution No. 5912)
4. **APPROVAL OF PACIFIC GAS AND ELECTRIC (PG&E) FEES FOR INDOOR RECREATION CENTER**
Action: **Approved** Payment of Fees to Pacific Gas & Electric (PG&E) for the Indoor Recreation Center in the Amount of \$42,307.23.

5. **APPROVE FINAL MAP FOR CAPRIANO PHASE VII (TRACT 9723)**

Action: 1) **Approved** the Final Map; and 2) **Authorized** the Recordation of the Map Following Recordation of the Development Improvement Agreement.

6. **DONATION FROM HOSPIRA, INC.**

Project Administrator Eulo thanked Hospira for their outstanding donation of time and workers at this year's City Beautification Day. Their crew worked on cleanup of the civic center area. He introduced Nellie Bushman from Hospira.

Ms. Bushman presented Mayor Kennedy with a check for \$2,500 as a donation to the Beautification Day fund. She also presented the Mayor and Council with t-shirts from Hospira. She thanked the city for organizing the Beautification Day event and stated that they are looking forward to participation next year.

Mayor Kennedy thanked them for the generous donation of funds and for the wonderful clean up work they did around the civic center.

Action: On a motion by Council Member Carr and seconded by Council Member Sellers, the City Council unanimously (4-0, with Tate absent) **Approved** Consent Calendar Item 6, as follows: 1) **Accepted** the Donation; and 2) **Appropriated** the Donated Funds in the 2004-2005 Budget.

7. **SISTER CITY COMMITTEE REQUEST FOR REIMBURSEMENTS**

Council Member Sellers stated that he is not concerned with the amount being requested because he feels the request is not out of line, but wants to make sure the Council is not setting a precedent of reimbursement of funds expended prior to Council approval. He stated that it is important that there be a standard set that funding needs to be requested prior to expenses being incurred.

Mr. Foggiato, the Chairperson of the Sister City Committee, gave the Council an explanation of the expenses incurred, and stated that they are in the process of developing a budget so that this will not happen in the future. He stated their plans are to become self-funding as a non-profit organization soliciting donations. All major events will be budgeted first, and any requests for funding from the Council will be presented prior to the expenditure of funds.

Action: On a motion by Council Member Sellers and seconded by Council Member Carr, the City Council unanimously (4-0, with Tate absent) **Approved** Consent Calendar Item 7, as follows: **Approved** this One-Time Request from the Sister City Committee for \$2,268.39 in Expenditures that are not Directly Related to Formal City Actions.

8. **AQUATICS CENTER OPERATIONS PLAN**

Action: **Directed Staff** to Provide an Aquatics Center Operations Plan at the August 3, 2005 City Council Meeting.

Redevelopment Agency and City Council Action

CONSENT CALENDAR:

Action: *On a motion by Agency/Council Member Sellers and seconded by Agency/Council Member Carr, the Agency Board/City Council unanimously (4-0, with Tate absent) Approved Consent Calendar Items 9 and 10, as follows:*

9. **ADOPTION OF FISCAL YEAR 2005-2006 BUDGET**

Action: 1) Approved the Resolution of the City of Morgan Hill Adopting the Fiscal Year 2005/2006 Annual City Budget and Adopting Appropriations Limit for Fiscal Year 2005-2006; 2) Approved the Resolution of the Redevelopment Agency of the City of Morgan Hill Adopting the Fiscal Year 2005-2006 Annual Agency Budget; 3) Approved the Capital Improvement Plan; and 4) Approved the 2005-2006 South County Regional Wastewater Authority Budget.
(Resolution No. 5913 and MHRA-255)

10. **AGREEMENT WITH MORGAN HILL COMMUNITY FOUNDATION FOR CENTENNIAL MORGAN HILL ACTIVITIES**

Action: Authorized the City Manager/Executive Director to Prepare, Execute, and Implement an Agreement with the Morgan Hill Community Foundation in an Amount Not-to-Exceed \$54,500 for Centennial Celebration Activities for Fiscal Year 2005-2006.

City Council Action

CONSENT CALENDAR: (Continued)

Action: *On a motion by Council Member Sellers and seconded by Council Member Carr, the City Council unanimously (4-0, with Tate absent) Approved Consent Calendar Item 11, as follows:*

11. **APPROVED JOINT SPECIAL CITY COUNCIL AND SPECIAL PLANNING COMMISSION MEETING MINUTES OF JUNE 8, 2005**

Action: *On a motion by Council Member Sellers and seconded by Council Member Carr, the City Council unanimously (4-0, with Tate absent) Approved the Amended staff report submitted to the Council as a supplemental document to the agenda packet for Consent Calendar Items 12, as follows:*

12. **APPROVAL OF TIME EXTENSION REQUEST FOR SUBDIVISION IMPROVEMENT AGREEMENT FOR ALCINI PARTNERSHIP/MAST AVENUE**

Action: Granted an extension of time from September 1, 2005 to September 1, 2007.

Redevelopment Agency and City Council Action

PUBLIC HEARINGS:

13. ACTON MUSEUM RELOCATION AND RENOVATION PROJECT (Resolution No. 5914 and MHRA-256)

Director of Business Assistance and Housing Toy presented the staff report as provided in the agenda packet.

Agency/Council Member Grzan stated that he thought previous reports had placed the cost of this project at significantly less than \$350,000. He also asked if the house could be re-built for less cost than moving the original structure.

Mr. Toy responded that the costs of only the move will be around \$50,000-\$75,000; and the cost of improving the site is anticipated to bring the costs near to the \$350,000 amount. The cost of rebuilding the house would be close to the same amount; in addition, an EIR would have to be done which would add to the cost. The funds are to be drawn down only as needed, but the staff fully anticipates spending all the funds to enhance the project. They will know more after the bids are received for the project.

Chairman/Mayor Kennedy opened the public hearing.

No comments being offered, the public hearing was closed.

Agency/Council Member Sellers stated that he was impressed with the creativity, ability and accuracy the Historical Society brings to projects with very little resources. He has spoken with the President of the Historical Society and is confident they are going to maximize the use of the funds; and he thanked the staff and Society for finding a way to get this project done.

Agency/Council Member Grzan agreed, and stated that this will be a wonderful addition to the site and will help make it representative of the early days of the town of Morgan Hill.

Action: *On a motion by Agency/Council Member Sellers and seconded by Agency/Council Member Carr, the Agency Board/City Council unanimously (4-0, with Tate absent) **Adopted** Resolutions Making the Appropriate Findings and **Authorized** the Executive Director/City Manager to do everything necessary to Execute and Implement the Agreement with the Historical Society for the Relocation and Renovation of Acton Museum to the Villa Mira Monte Site.*

City Council Action

OTHER BUSINESS:

14. SILICON VALLEY SOCCER COMPLEX

Acting Recreation and Community Services Division Manager Dile presented the staff report as provided in the agenda packet. She suggested that since the San Jose Soccer Complex Foundation has withdrawn from the development of the Silicon Valley Soccer Complex at Sobrato High School, the Council may wish to reprogram the \$980,000 that was allotted to this project in the CIP budget adopted earlier this evening.

Mayor Kennedy asked if CYSA is looking for another site. He expressed his concern for the loss of the financial benefits that soccer has brought to Morgan Hill; and asked if we can speak with the CYSA and the City of San Jose regarding the proposed Sobrato site.

City Manager Tewes responded that CYSA has expressed an interest in extending their lease with Morgan Hill, but they are looking at several locations for their regional facilities; but not in the Bay Area since their territory covers most of the state.

Ms. Dile responded that the City of San Jose is pursuing with different venues the use of the Sobrato site for soccer, but the scope of that is not yet known.

Council Member Grzan noted that there would be significant advantages to us if another city will fund the facility and we will receive the benefits. And the dollars that we had allotted for this project can be used elsewhere.

Mayor Kennedy stated that it was his understanding that the problem was that the City of San Jose wanted to maintain control of the use of the site, which discouraged the Soccer Foundation from proceeding with their use of the site.

City Manager Tewes stated that the City of San Jose owns the property and felt that the facility should be a community facility since it was owned by the taxpayers. The Soccer Foundation, which is a private foundation, wanted to have some of the access limited to their use. In the end the two parties could not find a balance of the two needs, so the Soccer Foundation will be looking elsewhere. The City of San Jose will go ahead with the facility as a community based soccer group use; and has stated that they have no expectation of Morgan Hill contributing to the development of the facility.

Mayor Kennedy opened the public comment.

No comments being offered, the public comment was closed.

Council Member Sellers stated that this may be good news and there are two actions we should undertake. We should let San Jose know how important this facility is to the Morgan Hill community's

children and make sure that we are in on the discussions so that it is designed to be adequate. The second issue is what to do with the \$980,000 we now have available; and we need to make recommendations on how that might be reprogrammed for economic development.

Council Member Carr expressed his strong disappointment in the Soccer Foundation after putting two years of work into this project. The Foundation had assured the Public Safety and Community Services Committee that they were not looking at other sites. He understands their frustrations with not being able to come to an agreement on exclusive use with San Jose, but he is disappointed they did not come to Morgan Hill to look at other sites together. He wants the Council to be cautiously optimistic about how San Jose will handle this site; and wants to monitor the impacts on Sobrato High School and the neighboring mobile home park. He also wants to be very careful and thoughtful in the use of the \$980,000.

Mayor Kennedy noted that the financial impact on the businesses along Condit will be significant with the loss of the soccer complex, and hopes that we don't give up on trying to find a way to keep a regional soccer complex in Morgan Hill. He would like the Council to support looking for opportunities to make this happen.

Council Member Sellers stated that this issue was originally assigned to the Public Safety and Community Services Committee, and they should continue the work on this issue.

Council Member Grzan stated that he feels it should be assigned to the Parks and Recreation Commission, since they are the ones given the authority by the Council to look at recreational opportunities.

Council Member Sellers stated that this issue is not about figuring out a use for the site, but is a political issue of working with San Jose to express our concerns. He also stated that it is a good idea to have the Parks and Recreation Commission come up with suggestions for uses and shared opportunities.

Mayor Kennedy stated that this covers a lot of issues such as economic and regional services and is more of a Council decision. The Parks and Recreation Commission would be more appropriate to study a specific recreational use, such as the need for local teams for recreational facilities. Perhaps it needs to be put on the agenda for further discussion and recommendations from the staff.

Council Member Carr noted that this issue is not a part of the Workplan of the Parks and Recreation Commission, and they already have a very full Workplan.

Mayor Kennedy suggested that the staff come back with thoughts on this issue, and make recommendations of whether it should go to a committee, and which subcommittee it should be assigned to.

Council Member Carr stated that the Public Services and Community Services Committee will be happy to continue the discussion about regional recreation.

Council Member Sellers stated that there needed to be discussion of the reprogramming of the funds as well.

Mayor Kennedy stated that at this time there appeared to be consensus of at least three Council Members to send it back to the Public Safety and Community Services Committee.

Action: *By consensus, the City Council **Accepted** the report, and assigned the Public Safety and Community Services Committee to pursue the issue of regional recreation and coordinate with the City of San Jose in their development of the Silicon Valley Soccer Complex.*

15. URBAN LIMIT LINE/GREENBELT STUDY

Consultant David Bischoff presented the staff report as provided in the agenda packet, and presented a power point presentation summarizing the main points of the staff report binder. He noted that the staff is only asking the Council for permission to proceed with the further development of this process.

Mr. Bischoff stated that the Council has been provided with an amended version of the Matrix chart, which corrected a clerical error in Item #8 to list the actual number of acres involved. This was left off of the version provided in the agenda packet. In addition, he has also provided a map which shows the comparison of the three proposals.

He reviewed the background history of the development of the Urban Limit Line/Greenbelt study, the staff recommendations given in the staff report, the correspondence and speakers comments received and evaluated by the staff, and the matrix showing the comparative analysis of the five proposals previously requested by the Council. All of this information is presented in detail in the staff report and binder provided in the agenda packet.

Council Member Grzan asked for an estimate of how much residential land is currently located in the UGB and asked for clarification of how many years out the ULL is projecting. He also asked the City Attorney for clarification of why he recommended the word “permanent” be removed.

Mr. Bischoff responded that in the three proposals the KBT added 1500 acres, the staff added 1900, and the advisory committee added 2200. He could only give a very rough estimate of the time, and that would be an estimate of the year 2050 which would include the full development of the SE quadrant area. He also stated that this is only an estimate of density and has not been studied in detail. Also, some of the land involved is County land that does not have any designation as yet, so there is no way to know what it will eventually be designated. A very rough estimate of the population under the current Measure C in 2050 would be 55,000-60,000.

Interim City Attorney Siegel responded that under California law it is difficult to make a decision that cannot be changed. The word “Permanent” is a word that prohibits future Councils from making a change. Things can be long lasting, but it is very difficult to make something permanent.

Mayor Kennedy remarked that we do not know what the density of residential housing will be, but we do know that there is greater emphasis being placed on higher density and this could change the whole picture in the future.

The Council thanked David Bischoff and the staff for all the excellent work done on the ULL over the last 2 years, and for accomplishing the difficult task of bringing this issue to a consensus.

Council Member Sellers asked how long it will take to do the Industrial Land Market Study, and if the survey will be extensive enough to cover commercial as well as industrial. He stated it is crucial to identify what we want to get out of the study, including the discussion of the attractiveness of land for an industrial use.

Mr. Bischoff responded that the study will be done in the next fiscal year, and the issues Council Member Sellers specified would be a major component of the study.

In response to a question by Council Member Carr, Mr. Bischoff stated that the city limit line and the UGB line in the SW quadrant are coterminous.

Mayor Kennedy opened the public comment.

Alex Kennett thanked the staff for a wonderful job of preparing a logical and well balanced conclusion. He stated he feels badly for the land owners, as this is not going to speed up the process for them. He also stated that voters can make issues permanent if they wish. In response to a council inquiry as to whether he agreed with the staff recommendations or still held to the KBT proposal, he stated that, for his part, he feels that a lot of the KBT input is included in the staff recommendations and that this is something they can work with.

Andy Faber spoke as a representative for Keven and Charlene Lai and reiterated his request that the Lai property be included in the ULL, which could easily be done. He stated that the Lai property is not developed and is in the Williamson Act, and is not in an isolated area. If it is ever developed it would need to be annexed to the city. He stated he is glad that the term “permanent” has been removed from the report, and he would suggest that they also remove the “20 year time frame of the UGB” from the replacement language being added. He feels that to plan beyond 20 years is an exercise in speculation, and he requested that this language be deleted.

Pete Gale and Ron Key addressed the Council regarding an area located on the corner of Spring Avenue and Dewitt, requesting that the line be expanded to include this section. This area is enclosed between city boundary lines on both sides and already has city utilities. Adding it would simplify the provision of police and fire services for these parcels. He provided 3 letters from property owners and a map of the area, which will be scanned into the permanent record.

Michele Beasley, representing the Greenbelt Alliance, thanked the staff and the Council for their work on this project. She encouraged the Council to “build up, not out”, using more density and taking advantage of the existing infrastructure; to avoid sprawling in order to protect the charm of Morgan Hill

as a rural community by protecting the greenbelt, and to differentiate Morgan Hill from the grown together cities up the Peninsula. Morgan Hill has acres of undeveloped land within the UGB, and it would be better to develop this land rather than sprawling out on the fringes of the community. She expressed concern over the ULL no longer being defined as “permanent” as it makes it more difficult to permanently protect greenbelt lands.

Art Puliafico spoke on the development of the SE quadrant. He feels the property owners’ proposal is about providing the funds to permanently pay for the open space areas in the SE quadrant through development. The property owners are willing to fund a burden rate of approximately 10% of the urbanization value, which would fund approximately 275 acres of open space in the SE quadrant. This would provide about 6,300 acres outside the ULL line. He feels that is commendable for property owners to come up with such a big number; and feels they understand what the city is trying to accomplish. They want to make the open space permanent in that area rather than waiting 25-30 years for the area to provide funds to pay for open space if it is still there. He wants the staff to determine how many acres are being added beyond the UGB by all the proposals, and to remember the land east of Hill Road is already parceled and potential development is low.

Brian Schmidt, representing the Committee for Green Foothills, agreed with the City Attorney that no City Council can constrain a future City Council; but stated that there is no rule in the law against the Council stating their intent for the ULL to be permanent. He suggested that if they do drop the permanence concept, they should draw the ULL tighter, particularly the areas on Half Road, and it can be revisited later. He suggested that the issue of the SE quadrant be revisited before the next General Plan revision in 3-4 years. He stated he was glad that there was not a recommendation for an open space impact fee. He stated that Morgan Hill should keep in mind what is going on in Coyote Valley and should consider setting up the same system as Gilroy has of one acre for one acre mitigation for agricultural land, which would help preserve some of the land for Morgan Hill’s future.

No further comments being offered, the public comment was closed.

Mayor Kennedy commented that, as Chair of the ULL Committee, it has been a lengthy process, and from the outset they tried to involve all interested and affected parties in the process which has resulted in a good work product being produced. They recognize that it is a very contentious property, and for a lot of the long time members of the community the property is the future family inheritance and is very important to those involved. However, for a long time the residents of the City of Morgan Hill have desired a greenbelt around the city to distinguish it from other cities and to protect the rural quality of life in Morgan Hill. He stated that he would be supporting the staff recommendation because it is a good start and allows us to move forward.

Mr. Bischoff responded to the comments made by one of the speakers this evening, Mr. Gale, regarding the Spring Avenue property inclusion request. Mr. Bischoff noted that the map the speaker was using was out of date, and that the Committee has already amended the map to include the West Hills Community Church Property and the properties on Spring Avenue.

Council Member Grzan questioned the staff recommendation of the one home being allowed to be built on the Anchorpoint property on Dewitt Avenue. It was his understanding that the committee did not want any homes built on the property along Dewitt.

Mr. Bischoff responded that staff has always felt that it would be appropriate to have a house there so that the owners could take on the responsibility for the maintenance of the property. The home would be located in an area that would not be visible from Dewitt, which would satisfy the objective of the Committee. He reminded the Council that staff is not asking them to make any definitive decisions tonight, but to just give the staff authority and flexibility to continue to work with Anchorpoint on this project and see what can be worked out that will be satisfactory to all involved. Ultimately, it will return to the Council for the final decision.

Mayor Kennedy stated that he has met with Mr. White of Anchorpoint Academy and Mr. Bischoff on this proposal, and it appeared to him that the proposal would meet the objectives of the Committee's recommendation that there be no housing on the hillside facing Dewitt that would destroy the view. This would allow private property owners to own and manage that property. This compromise made sense to him.

Council Member Grzan questioned whether there would actually be any additional maintenance costs incurred by the city whether or not this house is built.

Mr. Bischoff reported that at this time the city has an arrangement with an adjacent property owner to run his cattle on the property to keep the weeds under control. Building a house on the property would eliminate the problem of an absentee landlord, and would provide better potential for maintenance.

Director of Community Development Molloy Previsich stated that at this time the staff is just trying to establish the "project description" for the General Plan amendment that will be an application that will go through a normal process of study and review by staff and public hearings before the Planning Commission and City Council. One of the reasons for the staff recommendation to go ahead and allow the house, is because that would be the worst case CEQA analysis; and the Council will still have all their options open through the public hearing process to decide whether this is what they want to have happen.

Council Member Carr asked if the project description would use the staff proposed ULL in places where it is different from the advisory committees' recommendation. For example, the line would be along Hill Road rather than at the foothills.

Mr. Bischoff responded that yes, this is the staff recommendation.

Council Member Sellers stated that this recommendation makes sense to him. He saw no reason to go east of Hill Road given the development that has already occurred there. His concern has been that if we don't make some of these hard decisions over the next year or so, that there will be development of the SE quadrant that will preclude us ever having permanent open space or more appropriate development in that area. He feels it is important that we continue down this path and try to determine what will be

done in that area. He wants to make sure the Industrial Land Market study gets the right questions answered, such as the appropriateness of the property and some other long term issues. Wants to keep moving this process forward and is supportive of the recommended action this evening.

Council Member Grzan wanted to clarify that wherever the line is drawn outside of the city limits is not in our control, and we need to have an agreement with the County on how that land will be used. We are being accused of taking land away and changing the way that people can use their land, but that is not the case. The people who are there now can use and develop their property in accordance with the County guidelines, and where we put this line does not change that at all unless we have an agreement with the County on how those lands are to be used. One of the things proposed by the Committee is that we look at some of the agreements that the County currently has with the cities of Milpitas and Monte Sereno, where they do have some negotiations regarding hillside lands. He thinks that we should consider doing that sometime in the future as part of the staff recommendation.

Action: *On a motion by Mayor Kennedy and seconded by Council Member Sellers, the City Council unanimously (4-0, with Tate absent) **Accepted** the Staff Recommended “Project Description” for a General Plan Amendment (as Presented in Attachment I.E.) (For all of the City’s Sphere of Influence area Except for the Southeast Quadrant); and **Directed** Filing of the Application and Preparation of Environmental Review. (The GPA Amendment will include Establishment of the Urban Limit Line, Amendment of the Urban Growth Boundary Line, and Incorporation of a Greenbelt Diagram and Policies).*

Action: *On a motion by Mayor Kennedy and seconded by Council Member Sellers, the City Council unanimously (4-0, with Tate absent) **Directed** Staff to Initiate Consultant Selection Activities for the Industrial Land Market Study (ILMS), to Address Existing and Potential Industrial Lands Within the City’s Sphere of Influence.*

Action: *On a motion by Mayor Kennedy and seconded by Council Member Sellers, the City Council unanimously (4-0, with Tate absent) **Directed** Staff to Work with Santa Clara County on County Development Regulations Related to Reducing the Visual Impacts of New Hillside Development.*

FUTURE COUNCIL-INITIATED AGENDA ITEMS

Council Member Grzan asked that Council recognition be given to Carol Holzgrafe and Walt Glines of the Morgan Hill Times for their service to the community.

Redevelopment Agency and City Council Action

CLOSED SESSIONS:

1.

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Authority: Government Code Sections 54956.9(b) & (c)
Number of Potential Cases: 2

2.

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Authority	Government Code 54957
Public Employee Performance Evaluation:	City Manager
Attendees:	City Council, City Manager

CLOSED SESSION ANNOUNCEMENT

Interim Agency Counsel/City Attorney Siegel announced there would be no discussion of Closed Session Item #1, anticipated litigation, during Closed Sessions. Only Closed Session Item #2 would be under discussion.

OPPORTUNITY FOR PUBLIC COMMENT

Chairman/Mayor Kennedy opened the Closed Session items to public comment. No comment being offered, the public comment was closed.

ADJOURN TO CLOSED SESSION

Chairman/Mayor adjourned the meeting to Closed Session at 9:20 p.m.

RECONVENE

Chairman/Mayor reconvened the meeting at 9:38 p.m.

ADJOURNMENT

There being no further business, Chairman/Mayor Kennedy adjourned the meeting at 9:40 p.m.

MINUTES RECORDED AND PREPARED BY:

MOIRA MALONE, DEPUTY AGENCY SECRETARY/DEPUTY CITY CLERK